

**Issue I(F) - How should switching and termination costs be allocated between setup and usage for reciprocal compensation?**

The initial brief filed by Ameritech did nothing to correct the fundamental flaw in the record: As explained in Part F of CLECs' Initial Brief, Ameritech simply has not provided cost data in a way that meets the requirements set forth by the Commission in Docket 05-TI-283. Thus, as a fundamental matter, this Commission simply cannot set a rate based on the bifurcated rate structure set forth in that Docket.

Based on the FCC's intervening order in CC 96-98 and CC 99-68 setting an interim rate for ISP reciprocal compensation, CLECs believe that there is little reason to continue with the bifurcated rate structure. The FCC has adopted a single rate for ISP traffic that does not allow for the bifurcated structure ordered by this Commission in Docket 05-TI-283. Further, as of the date of filing of this Reply brief, Ameritech has not made the election as to exchanging all 251(b)(5) traffic at the rates set forth in paragraph 89 of the FCC order. Unless and until Ameritech makes a binding election one way or the other, it is difficult to predict whether it is necessary for this Commission to set a rate for reciprocal compensation for ISP and/ or non-ISP traffic. Therefore, the first order of business should be for the Commission to order that Ameritech must make the election contemplated by the FCC Order by a date certain. After that election is made, the Commission may then proceed to determine an appropriate methodology for reciprocal compensation for non-ISP traffic, and to the extent necessary, ISP traffic, if Ameritech does not elect the rates in the FCC order. In any event, it is most

logical for this Commission to abandon the bifurcated rate structure in favor of a single rate structure which is consistent with that ordered by the FCC. This could be accomplished either by an order in this Docket, or by re-opening Docket 05-TI-283.

## **CONCLUSION**

As stated above, CLECs respectfully direct the Commission's attention to the arguments presented in CLECs' Initial Brief on all of the issues raised in this matter. For the reasons stated therein, and for the additional reasons set out in this Brief, CLECs request that the Commission resolve the disputed issues in favor of CLECs and thereby issue an order which provides for rates, terms and conditions that are just, reasonable and promote competition as required by the Act and the rules of the FCC and this Commission.